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EXAMINER	
NASH, LASHANYA RENEE	
ART UNIT	**PAPER NUMBER**
2153	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/982,145	NASSIRI, NICK	
	Examiner	Art Unit	
	LaShanya R. Nash	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 February 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13,15-44 and 46-49* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13,15-45 and 49* is/are rejected.

7)☒ Claim(s) *46-48* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is in response to an Amendment filed 23 February 2006. Claims 1-13,15-44,and 46-49 are presented for further consideration.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 23 February 2006 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1-45 have been fully considered but are not persuasive.

In considering the Applicant's arguments the following factual remarks are noted.

(I) Applicant contends that Sykes fails to disclose a method whereby the third party verification sends or resends the original message to the intended recipient.

(II) Applicant contends that Sykes does not verify the contents of an email.

(III) Applicant contends Sykes does not show that the verification record in the form of a digital certificate.

(IV) Applicant contends that Sykes fails to disclose any method of identity verification prior to an intended recipient being allowed to access its website to download the waiting email.

(V) Applicant contends that Sykes allows the originator of the email to access the archived files, and to manipulate the archived files.

(VI) Applicant contends that is there is no motivation to combine Sykes and Gabber.

(VII) Applicant contends that Gabber fails to disclose a method that comprises an anonymous client.

(VIII) Applicant contends that Sykes fails to disclose a whereby the third party provider notifies the intended recipient that the third party provider is holding an email message pending verification of the identity of the intended recipient.

(IX) Applicant contends that Sykes does not show using biometric data or personal identity papers.

In considering, (I) Applicant contends that Sykes fails to disclose a method whereby the third party verification sends or resends the original message to the intended recipient. Examiner respectfully disagrees. Sykes expressly discloses that subsequent to a sender selecting the option to confirm a registered email, the intended recipient logs onto the third party archiving and verification system. The aforementioned system then delivers (i.e. sends) the email to the user inbox, where the user can access the message, (paragraph [0062], lines 1-18). Examiner asserts that delivery of an email to the recipient's inbox, as disclosed by Sykes, is consistent with Applicant's "sending an original message to the intended recipient" as recited in the claim language of instant application. Therefore, the Examiner maintains rejections as set forth below in the Office Action.

In considering (II), Applicant contends that Sykes does not verify the contents of an email. However, it is noted that features upon which Applicant's relies (i.e. verify **contents** of an email) are not recited in the rejected claims. Although claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Genus, 988 F. 2d 1181i; 26 USPQd 1057 (Fed. Cir. 1993). Therefore, the Examiner maintains that the Sykes discloses verifying an email that is consistent with the verification limitations as recited in the claim language of instant application. As a result, Examiner maintains the rejections of claims, as set forth below in the Office Action.

In considering (III), Applicant contends Sykes does not show that the verification record in the form of a digital certificate. This argument is rendered moot due to a new grounds of rejection in view of newly applied prior art Byrd (US Patent 6,081,899), as set forth below in the Office Action.

In considering (IV), Applicant contends that Sykes fails to disclose any method of identity verification prior to an intended recipient being allowed to access its website to download the waiting email. Examiner respectfully disagrees. Examiner asserts that Sykes expressly discloses that the third party archiving and verification provider verifies the that the message is delivered to the proper recipient prior to allowing access to the email. Sykes requires unregistered recipients to obtain a userID and subsequently log onto the system in order to access messages associated to that verified userID and email address, (paragraph [0063]). Therefore, the Examiner maintains that the Sykes discloses identity verification (i.e. verifying user prior to an intended recipient being allowed to access its website to download the waiting email) that is consistent with the verification limitations as recited in the claim language of instant application. As a result, Examiner maintains the rejections of claims, as set forth below in the Office Action.

In considering (V), Applicant contends that Sykes allows the originator of the email to access the archived files, and to manipulate the archived files. Examiner asserts that rejected claims fails to recite limitations that teach or suggest verification

records are **exclusively** accessed and manipulated by the originating client or authorized third party. Therefore, Examiner asserts this argument is not relevant to distinguishing the patentability of Applicant's rejected claims over the prior art. As a result, Examiner maintains the rejections of claims, as set forth below in the Office Action.

In considering (VI), Applicant contends that is there is no motivation to combine Sykes and Gabber. Examiner respectfully disagrees. The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). As stated by the Examiner in the Final Office action, combining the features of Gabber and Sykes would have been obvious to one of ordinary skill in the art because one would have been so motivated to facilitate "bi-directional e-mail communication over a network without compromising the sender's identify", and thereby increasing user privacy, (Gabber column 2, lines 1-5). Examiner further asserts that disclosure of Sykes suggests this aforementioned motivation of supporting user privacy as the third party archiving and verification system provides an "account alias" user service, (paragraph [0049]; Figure 7). The email address aliasing of Gabber is obviously related to this feature. As a result, Examiner asserts that there is motivation to combine

the aforementioned references and subsequently maintains the rejections of claims, as set forth below in the Office Action.

In considering (VII), Applicant contends that Gabber fails to disclose a method that comprises an anonymous client. Examiner respectfully disagrees. Examiner asserts that the accepted interpretation of "client" in the art refers to the computing system and not the identity of the user employing the aforementioned computing system. Consistent with this terminology, an "anonymous client" shrouds the identity (i.e. source address) of the of the client computer system and not the identify of the human sender of the email as suggested by Applicant. Therefore, Examiner asserts that Gabber discloses an anonymous client that is consistent with the "anonymous client" limitations as recited in the claim language of instant application. As a result, Examiner maintains the rejections of claims, as set forth below in the Office Action.

In considering (VIII), Applicant contends that Sykes fails to disclose a whereby the third party provider notifies the intended recipient that the third party provider is holding an email message pending verification of the identity of the intended recipient. Examiner respectfully disagrees. Examiner asserts that Sykes expressly discloses that the third party provider sends the recipient an email which instructs a recipient to verify their identity (I.e. create a user account) in order to subsequently logon and view waiting messages received by the system (paragraph [0063]). Therefore, Examiner asserts that Sykes discloses that the third party provider notifies the intended recipient that the third

party provider is holding an email message pending verification of the identity of the intended recipient that is consistent with the verification limitations as recited in the claim language of instant application. As a result, Examiner maintains rejections as set forth below in the Office Action.

In considering (IX), Applicant contends that Sykes does not show using biometric data or personal identity papers. This argument is rendered moot due to rejections in view of Smith et al. (US Patent 6,725,381), as set forth below in the Office Action. Examiner additionally notes that verification, as recited in Applicant's claim language, requires **at least one of** the group consisting of: a digital certificate, or personal identity papers, or a driver's license, or a passport, or biometric information. Therefore, Examiner asserts that Sykes in view of Smith shows **at least one** (i.e. personal identity papers) of the aforementioned elements comprising the recited group. As a result, Examiner maintains rejections as set forth below in the Office Action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sykes, Jr. (US Patent Application Publication 2002/0129108), in view of Byrd (US Patent 6,081,899), hereinafter referred to as Sykes and Byrd respectively.

In reference to claim 1, Sykes discloses a method and system for archiving, registering, and verifying electronic communications transmitted between clients and recipients via a network (i.e. Internet), (abstract and paragraph [0004], lines 1-13). Specifically, Sykes discloses the third party archiving and verification system to comprise:

- The method for registering and certifying an electronic message, the method, (abstract; paragraph [0004], lines 1-13; and paragraph [0038], line 1 to paragraph [0040], line 17), comprising the steps of:
- A client accessing a website and establishing a registration account, (paragraph [0048]; Figures 4-22);
- A processing unit (i.e. third party archiving and verification server; paragraph [0038]) accepting the registration account (i.e. server of provider web page; paragraph [0048]);
- The processing unit assigning a code (i.e. account ID) to the registration account of the client, (paragraph [0048], line 1 to paragraph [0049], line 16 and Figure 4); and
- The client selecting a service request (i.e. user selects confirm email; paragraph [0062], lines 1-4; Figure21);

- The processing unit receiving the client's service request, (i.e. system receives email; paragraph [0062], lines 4-7; Figure 21);
- The processing unit sending the electronic email message to the intended recipient as identified by the client in the registration account, (i.e. system delivers the email to recipients inbox; paragraph [0062], lines 8-19; Figure 22)
- The processing unit confirming the date the electronic message was sent by the processing unit (i.e. when a message has been delivered; paragraph [0059]; Figure 27-"Wed, 5 Sep 2001 11:34:17-05000 (CDT)");
- The processing unit confirming the date the electronic message was received by the intended recipient (i.e. date and time stamp of message read by recipient; paragraph [0065], lines 11-13; Figure 27-"Date: September 5, 2001 Time: 05:22:01 PM");
- The processing unit creating a confirmation record (i.e. message table entry) (paragraph [0038], line 1 to [0047], line 12; paragraph [0059], line 1 to paragraph [0061], line 8; and paragraph [0065], lines 9-13; Figure 26).

Although Sykes discloses substantial features of the claimed invention, the reference fails to show the processing unit creating a digital certificate containing the information of the confirmation of the confirmation record; the processing unit archiving the digital certificate information; and the processing unit sending the client the digital certificate. Nonetheless, digital certificates were well known in the art at the time of the invention, as further evidenced by Byrd. Therefore, it would have been obvious for one of ordinary

skill in the art at the time of the invention to accordingly modify the method as disclosed by Sykes.

In an analogous art, Byrd discloses a method for validating electronic messages in order to prevent tampering, (abstract). Byrd further discloses the message validating method comprises a processing unit creating a digital certificate containing the information of the confirmation of the confirmation record (i.e. user's digital certificate issued by authority; column 3, lines 35-48; Figure 3-items 401, 407); the processing unit archiving the digital certificate information (i.e. database stores digital certificate; column 3, lines 35-58); and the processing unit sending the client the digital certificate (i.e. return receipt; Figure 5-item 505; column 4, lines 19-22). One of ordinary skill in the art would have been motivated to implement the digital certificate in the aforementioned method of Sykes, so as to further validate transmission by encoding electronic messages for protection against tampering of content (Byrd column 2, lines 19-33).

In reference to claim 2, Byrd shows the method wherein the local computer system may be a remote fixed device (i.e. wired connectivity) or a remote portable device (i.e. wireless connectivity); whereby either the remote fixed device or the remote portable device access the website using the Internet or other Transmission Control Protocol/Internet Protocol based network connectivity, (i.e. Internet; column 1, lines 5-60; Figure 4-item 405).

In reference to claim 3, Sykes shows the method wherein the processing unit further comprises the email database; the email database further comprising an information storage system; the information storage system further comprising the means to store data, (i.e. SQL database); the data further comprising the registration account data, the electronic message data, the sent date data, the received date data, and the confirmation record data, (Sykes paragraph [0038], line 1 to paragraph [0040], line 17; paragraph [0043], lines 1-9; and paragraph [0047], lines 1-12).

In reference to claim 4, Sykes shows the method wherein the registration account data further comprises the client's name, the client's email address, the intended recipient's name, the intended recipient's email address, and the email delivery services requested by the client, (Sykes paragraph [0048], line 1 to paragraph [0049], line 16 and paragraph [0042], lines 1-13).

In reference to claim 5, Sykes shows the method whereby the email delivery services comprise the processing unit sending the electronic message from the client in the form of a registered email, or a certified email, or a return receipt email, or an email submission confirmation or an email delivery confirmation to the intended recipient, and whereby the client may select archival of the email message (i.e. registered email; Figure 20) in conjunction with the delivery service, (Sykes paragraph [0057], lines 1-28).

In reference to claim 6,Sykes shows the method whereby the registered email, the certified email, the confirmation record email, the email sent confirmation, and the email received confirmation are further comprised of the registration account data and the electronic message, (Sykes paragraph [0057], lines 1-28).

In reference to claim 7,Sykes shows the method the electronic message further comprises at least one of the electronic data, including text data, audio data, visual data, video data, electronic data, and electronic attachments, (Sykes Figure 2a).

In reference to claim 8, Sykes shows the method whereby the website further comprises the means for the client to select the delivery services and to submit the electronic message in conjunction with the delivery services to the processing unit from the local computer system, (Sykes paragraph [0049], lines 1-16; paragraph [0057], lines 1-28; Figure 7; Figure 20-21).

In reference to claim 9, Sykes shows the method whereby the processing unit further comprises the means (i.e. Message Transfer Agent) to receive the electronic message from the local computer system and to send the electronic message to the intended recipient in accordance with the delivery services selected by the client in the registration account, (Sykes paragraph [0040], line 1 to paragraph [0046], line 4).

In reference to claim 10, Sykes shows the method whereby the processing unit further comprises the means to determine when the electronic message has been sent to the intended recipient and when the intended recipient has received the electronic message, (Sykes paragraph [0040], lines 1-17; paragraph [0043], lines 1 -9; paragraph [0065], lines 11-13).

In reference to claim 11,Sykes shows the method whereby the processing unit further comprises the means to verify when the electronic message was sent to the intended recipient and to verify when the electronic message was received by the intended recipient, (Sykes paragraph [0043], line 1 to paragraph [0044], line 17; paragraph [0065], line 11-13).

In reference to claim 12, Sykes shows the method The system of claim 11 whereby the processing unit compiles the submission and delivery confirmation data, and the reply posted by the intended recipient into the confirmation record; the confirmation record further comprising the registration account data, (Sykes paragraph [0043], line1 to paragraph [0044], line 17; Figure 26).

In reference to claim 13, Byrd shows the method whereby the confirmation record is in the form of a digital certificate that is emailed to the client (i.e. return receipt; Figure 5-item 505; column 4, lines 19-22).

Claims 15-36, 38-44 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sykes, Jr. (US Patent Application Publication 2002/0129108), in view of Byrd (US Patent 6,081,899) and Gabber et al. (US Patent 6,591,291), hereinafter referred to as Sykes, Byrd and Gabber respectively.

In reference to claim 15, Sykes discloses a method and system for archiving, registering, and verifying electronic communications transmitted between clients and recipients via a network (i.e. Internet), (abstract and paragraph [0004], lines 1-13). Specifically, Sykes discloses the third party archiving and verification provider system to comprise:

- The method for registering and certifying an electronic message, the method, (abstract; paragraph [0004], lines 1-13; and paragraph [0038], line 1 to paragraph [0040], line 17), comprising the steps of:
- A client accessing a website and establishing a registration account, (paragraph [0048]; Figures 4-22);
- A processing unit (i.e. third party archiving and verification server; paragraph [0038]) accepting the registration account (i.e. server of provider web page; paragraph [0048]);
- The processing unit assigning a code (i.e. account ID) to the registration account of the client, (paragraph [0048], line 1 to paragraph [0049], line 16 and Figure 4); and
- The client selecting a service request (i.e. user selects confirm email; paragraph [0062], lines 1-4; Figure21);

- The processing unit receiving the client's service request, (i.e. system receives email; paragraph [0062], lines 4-7; Figure 21);
- The processing unit sending the electronic email message to the intended recipient as identified by the client in the registration account, (i.e. system delivers the email to recipients inbox; paragraph [0062], lines 8-19; Figure 22)
- The processing unit confirming the date the electronic message was sent by the processing unit (i.e. when a message has been delivered; paragraph [0059]; Figure 27-"Wed, 5 Sep 2001 11:34:17-05000 (CDT)");
- The processing unit confirming the date the electronic message was received by the intended recipient (i.e. date and time stamp of message read by recipient; paragraph [0065], lines 11-13; Figure 27-"Date: September 5, 2001 Time: 05:22:01 PM");
- The processing unit creating a confirmation record (i.e. message table entry) (paragraph [0038], line 1 to [0047], line 12; paragraph [0059], line 1 to paragraph [0061], line 8; and paragraph [0065], lines 9-13; Figure 26).

Although Sykes discloses substantial features of the claimed invention, the reference fails to show the processing unit creating a digital certificate containing the information of the confirmation of the confirmation record; the processing unit archiving the digital certificate information; and the processing unit sending the client the digital certificate. Nonetheless, digital certificates were well known in the art at the time of the invention, as further evidenced by Byrd. Therefore, it would have been obvious for one

of ordinary skill in the art at the time of the invention to accordingly modify the method as disclosed by Sykes.

In an analogous art, Byrd discloses a method for validating electronic messages in order to prevent tampering, (abstract). Byrd further discloses the message validating method comprises a processing unit creating a digital certificate containing the information of the confirmation of the confirmation record (i.e. user's digital certificate issued by authority; column 3, lines 35-48; Figure 3-items 401, 407); the processing unit archiving the digital certificate information (i.e. database stores digital certificate; column 3, lines 35-58); and the processing unit sending the client the digital certificate (i.e. return receipt; Figure 5-item 505; column 4, lines 19-22). One of ordinary skill in the art would have been motivated to implement the digital certificate in the aforementioned method of Sykes, so as to further validate transmission by encoding electronic messages for protection against tampering of content (Byrd column 2, lines 19-33).

Although Sykes and Byrd disclose substantial features of the claimed invention, the reference fails to explicitly disclose the method comprising: an anonymous client, a local computing system, the anonymous client using the local computing system to access a website; the processing unit notifying the intended recipient that the electronic message has been sent on behalf of the anonymous client; the intended recipient choosing to post a reply for the anonymous client, and the confirmation record comprising the reply posted for the anonymous client. Nonetheless, these features would have been obvious modifications to the aforementioned method, as disclosed by

Sykes and Byrd, for one of ordinary skill in the art at the time of the invention, as further evidenced by Gabber.

In an analogous art, Gabber discloses a method for transmitting electronic messages between an anonymous client and a recipient via a computer network (i.e. Internet), (abstract and column 2, line 52 to column 3, line 2). Gabber further discloses the method involves employing a local computing system (Figure 1-item 105a), and the client using the local computing system to access a website (column 4, line 20 to column 5, line 7). Gabber also discloses a processing unit (i.e. Figure 2), (column 5,line 25-36), notifying (i.e. substituted real source address with alias address consisting of a printable string of characters) the intended recipient that the electronic message has been sent on behalf of the anonymous client, (column 6, line 41 to column 7, line 6); and the intended recipient choosing whether or not to post a reply for the client with the processing unit, the processing unit accepting the reply if posted, (column 8, lines 27-50). These modifications to the aforementioned method, as disclosed by Sykes and Byrd, would have been obvious to one of ordinary skill in the art because one would have been so motivated to facilitate "bi-directional e-mail communication over a network without compromising the sender's identify", and thereby increasing user privacy, (Gabber column 2, lines 1-5).

In reference to claim 29, Sykes discloses a method and system for verifying the identity of an intended recipient of an electronic message, in order to facilitate secure communication between clients and recipients via a network (i.e. Internet), (abstract and

paragraph [0005], lines 1-22). Specifically, Sykes discloses the third party archiving and verification provider system to comprise:

- The method for registering and certifying an electronic message, the method, (abstract; paragraph [0004], lines 1-13; and paragraph [0038], line 1 to paragraph [0040], line 17), comprising the steps of:
- A client accessing a website and establishing a registration account, (paragraph [0048]; Figures 4-22);
- A processing unit (i.e. third party archiving and verification server; paragraph [0038]) accepting the registration account (i.e. server of provider web page; paragraph [0048]);
- The processing unit assigning a code (i.e. account ID) to the registration account of the client, (paragraph [0048], line 1 to paragraph [0049], line 16 and Figure 4); and
- The client selecting a service request (i.e. user selects confirm email; paragraph [0062], lines 1-4; Figure21);
- The processing unit receiving the client's service request, (i.e. system receives email; paragraph [0062], lines 4-7; Figure 21);
- The processing unit notifying the intended recipient that the processing unit requires verification of the identity of the intended recipient, the processing unit obtaining the verification information of the identity of the intended recipient, (i.e. verification system makes sure that the message is delivered to the proper recipient; paragraph [0005], lines 1-22; and paragraph [0063], lines 1-30).

- The processing unit sending the electronic email message to the intended recipient as identified by the client in the registration account, (i.e. system delivers the email to recipients inbox; paragraph [0062], lines 8-19; Figure 22)
- The processing unit confirming the date the electronic message was sent by the processing unit (i.e. when a message has been delivered; paragraph [0059]; Figure 27-"Wed, 5 Sep 2001 11:34:17-05000 (CDT)");
- The processing unit confirming the date the electronic message was received by the intended recipient (i.e. date and time stamp of message read by recipient; paragraph [0065], lines 11-13; Figure 27-"Date: September 5, 2001 Time: 05:22:01 PM");
- The processing unit creating a confirmation record (i.e. message table entry) (paragraph [0038], line 1 to [0047], line 12; paragraph [0059], line 1 to paragraph [0061], line 8; and paragraph [0065], lines 9-13; Figure 26).

Although Sykes discloses substantial features of the claimed invention, the reference fails to explicitly disclose the method comprising a local computing system, and the client using the local computing system to access a website. Nonetheless, these features would have been obvious modifications to the aforementioned system, as disclosed by Sykes, for one of ordinary skill in the art at the time of the invention, as further evidenced by Gabber.

In an analogous art, Gabber discloses a method for transmitting electronic messages between a client and a recipient via a computer network (i.e. Internet), (column 2, line 52 to column 3, line 2). Gabber further discloses the method involves

employing a local computing system (Figure 1-item 105a), and a client submitting a service request that the client's identity be withheld from the intended recipient (column 4, line 20 to column 5, line 7). These modifications to the aforementioned method, as disclosed by Sykes, would have been obvious to one of ordinary skill in the art because one would have been so motivated to facilitate "bi-directional e-mail communication over a network without compromising the sender's identify", and thereby increasing user privacy, (Gabber column 2, lines 1-5).

In reference to claims 16 and 30 Sykes and Gabber show the method wherein the local computer system may be a remote fixed device (i.e. wired connectivity) or a remote portable device (i.e. wireless connectivity); whereby either the remote fixed device or the remote portable device access the website using the Internet or other Transmission Control Protocol/Internet Protocol based network connectivity, (Gabber column 4, line 20 to column 5, line 7).

In reference to claims 17 and 31 Sykes and Gabber show the method wherein the processing unit further comprises the email database; the email database further comprising an information storage system; the information storage system further comprising the means to store data, (i.e. SQL database); the data further comprising the registration account data, the electronic message data, the sent date data, the received date data, and the confirmation record data, (Sykes paragraph [0038], line 1 to

paragraph [0040], line 17; paragraph [0043], lines 1-9; and paragraph [0047], lines 1-12).

In reference to claims 18 and 32 Sykes and Gabber show the method wherein the registration account data further comprises the client's name, the client's email address, the intended recipient's name, the intended recipient's email address, and the email delivery services requested by the client; the delivery services further comprising a request by the client to have the client's identity withheld from the intended recipient (Sykes paragraph [0048], line 1 to paragraph [0049], line 16 and paragraph [0042], lines 1-13 and Gabber column 4, line 20 to column 5, line 7).

In reference to claims 19 and 33 Sykes and Gabber show the method whereby the email delivery services comprise the processing unit sending the electronic message from the client in the form of a registered email, or a certified email, or a return receipt email, or an email submission confirmation or an email delivery confirmation to the intended recipient (Sykes paragraph [0057], lines 1-28), whereby the client may select archival of the email message (i.e. registered email; Figure 20) in conjunction with the delivery service, (Sykes paragraph [0057], lines 1-28).

In reference to claims 20 and 34 Sykes and Gabber show the method whereby the registered email, the certified email, the confirmation record email, the email sent confirmation, and the email received confirmation are further comprised of the

registration account data and the electronic message, (Sykes paragraph [0057], lines 1-28).

In reference to claims 21 and 38 Sykes and Gabber show the method the electronic message further comprises at least one of the electronic data, including text data, audio data, visual data, video data, electronic data, and electronic attachments, (Sykes Figure 2a).

In reference to claim 22, Sykes and Gabber show the method whereby the website further comprises the means for the client to select the delivery services and to submit the electronic message in conjunction with the delivery services to the processing unit from the local computer system, (Sykes paragraph [0049], lines 1-16; paragraph [0057], lines 1-28; Figure 7; Figure 20-21).

In reference to claims 23 and 40 Sykes and Gabber show the method whereby the processing unit further comprises the means (i.e. Message Transfer Agent) to receive the electronic message from the local computer system and to resend the electronic message to the intended recipient in accordance with the delivery services selected by the client in the registration account, (Sykes paragraph [0040], line 1 to paragraph [0046], line 4).

In reference to claims 24 and 41 Sykes and Gabber show the method whereby the processing unit further comprises the means to determine when the electronic message has been sent to the intended recipient and when the intended recipient has received the electronic message, (Sykes paragraph [0040], lines 1-17; paragraph [0043], lines 1 -9; paragraph [0065], lines 11-13).

In reference to claim 25, Sykes and Gabber show the method whereby the processing unit further comprises the means for the intended recipient to post a reply for the anonymous client with the processing unit, (Gabber column 8, lines 19-50).

In reference to claims 26 and 42 Sykes and Gabber show the method whereby the processing unit further comprises the means to verify when the electronic message was sent to the intended recipient and to verify when the electronic message was received by the intended recipient, (Sykes paragraph [0043], line 1 to paragraph [0044], line 17; paragraph [0065], line 11-13).

In reference to claims 27 and 43 Sykes and Gabber show the method The system of claim 11 whereby the processing unit compiles the submission and delivery confirmation data, and the reply posted by the intended recipient into the confirmation record; the confirmation record further comprising the registration account data, (Sykes paragraph [0043], line1 to paragraph [0044], line 17; Figure 26).

In reference to claims 28 and 44, Byrd shows the method whereby the confirmation record is in the form of a digital certificate that is emailed to the client (i.e. return receipt; Figure 5-item 505; column 4, lines 19-22).

In reference to claim 35, Sykes and Gabber show the method of whereby the processing unit further comprises the means (i.e. Third Party Archiving and Verification Provider) to notify the intended recipient that the processing unit is holding the electronic message pending confirmation of the verification information, (Sykes paragraph [0005], lines 1-22).

In reference to claim 36, Sykes and Gabber show method of claim 29 whereby the processing unit further comprises the means (i.e. Third Party Archiving and Verification Provider) to notify the intended recipient what the verification information comprises (I.e. registration account information), and the means (i.e. account set up web page) for the intended recipient to submit the verification information to the processing unit, (Sykes paragraph [0048], lines 1-25; paragraph [0063], lines 1-30; Figure 4).

In reference to claim 39, Sykes and Gabber show the method whereby the website further comprises the means for the client to select the identity verification services and to submit the electronic message in conjunction with the verification

services and in conjunction with the delivery services to the processing unit from the local computer system, (Sykes paragraph [0063], lines 1-8; Figure 21).

In reference to claim 49, Sykes and Gabber show the method whereby the processing unit forwards the reply from the intended recipient to the client, (Gabber column 8, lines 27-50).

Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sykes in view of Gabber, as applied to claim 29 above, and further in view of Smith et al. (US Patent 6,725,381), hereinafter referred to as Smith.

In reference to claim 37, although Sykes and Gabber show substantial features of the claimed invention the references fail to show the method whereby the verification information further comprises a digital certificate, biometric information including one of the group of a such as a thumbprint, voiceprint, retinal scan, a graphical, hand written signature, or personal identity papers such as a drivers license, a passport, and the like. Nonetheless, this modification to the method, as disclosed by Sykes and Gabber, would have been obvious to one of ordinary skill in the art at the time of the invention, as further evidenced by Smith.

In an analogous art, Smith discloses a web-based messaging system in which the identity of an electronic message recipient is verified prior to delivering the message to a recipient, (abstract; column 2, lines 50-62). Smith further discloses the verification information requested from the user comprises personal identity papers, (i.e. social

security number). This modification to the method as disclosed by Sykes and Gabber, would have been obvious because one of ordinary skill in the art would have been motivated to, "provide significantly increased assurance that the recipient of a delivered document is in fact the party intended by the sender", (Smith column 3, lines 33-36).

Allowable Subject Matter

Claims 46-48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The aforementioned claims disclose a method comprising an anonymous email client, wherein an email address of the processing unit is clearly identified, and the email address of the processing unit remains constant and verifiable. Applicable prior art discloses rendering a sender of an email anonymous by removing the real source address from the email message and replacing with an alias source address, (Gabber). As a result, the aforementioned claims indicate a non-obvious methodology over the prior art of record.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShanya R Nash whose telephone number is (571) 272-3957. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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LaShanya Nash
Art Unit 2153
April 3, 2006

KRISNA LIM
PRIMARY EXAMINER